Unsealed on 2/7/08 as to order to unseal.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

07 MAY -7 PM 1:17

CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

In the Matter of the Search of

The residence located at:
5886 Streamview, #4
San Diego, California

SEARCH WARRANT

CASE NUMBER: 07 MJ 0965

TO: Any Special Agent of the Drug Enforcement Administration and any Authorized Officer of the ~~United~~ States

Affidavit(s) having been made before me by DEA Special Agent Rosalinda Conde, who has reason to believe that ☐ on the person or ☒ on the premises known as:

ORDERED SEALED BY COURT

See attachment A

in the Southern District of California, there is now concealed a certain person or property, namely

See attachment B

which are the fruits, instrumentalities and evidence concerning a violation of Title 21 United States Code, Section(s) Title 21, U.S.C., Secs. 846 and 841(a)(1).

I am satisfied that the affidavits(s) and any recorded testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before (not to exceed 10 days) 5/13/07
Date

(not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search ☒ (in the daytime - 6:00 a.m. to 10:00 p.m.) ☐ ~~(at any time in the day or night as I find reasonable cause has been established)~~ and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to the issuing U.S. Magistrate Judge, as required by law.

5/3/07 @ 9:10 am at San Diego, California
Date/Time issued

Hon. C. Bencivengo, U.S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

RETURN

DATE WARRANT RECEIVED	DATE AND TIME WARRANT EXECUTED	COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH
5-3-07	5-3-07 / 3:03 p.m.	Lourdes Moreno

INVENTORY MADE IN THE PRESENCE OF: Lourdes Moreno

INVENTORY OF PERSON OR PROPERTY TAKEN PURSUANT TO THE WARRANT

See attached
FBI Form FD 597
receipt for items

CERTIFICATION

I swear that this inventory is a true and detailed account of the person or property taken by me on the warrant.

Rosalinda Conde

Subscribed, sworn to, and returned before me this date.

U.S Judge or Magistrate

CATHY ANN BENCIVENGO
U.S. MAGISTRATE JUDGE

5/7/07
Date

ATTACHMENT A

Description of 5886 Streamview, #4, San Diego, CA

The target residence is a four unit multi-family apartment building with beige colored stucco and wood siding exterior and dark brown trim. The building has an asphalt shingle roof and two brown colored double-wide garage doors. The building has the address, 5886, attached to the front (south facing) portion of the building in dark brown numerals.

Unit #4 has a light colored wood door with a black colored number "4" to the right of the front door. Unit #4 is in the corner of the apartment building, being the northern most unit.

ATTACHMENT "B"

1. Documents containing data reflecting or memorializing the ordering, possession, purchase, storage, distribution, transportation and sale of controlled substances, including buyer lists, seller lists, pay-owe sheets, records of sales, log books, drug ledgers, personal telephone/address books containing the names of purchasers and suppliers of controlled substances, electronic organizers, Rolodexes, telephone bills, telephone answering pads, bank and financial records, and storage records, such as storage locker receipts and safety deposit box rental records and key.

2. Money, assets, and evidence of assets derived from or used in the purchase of controlled substances and records thereof, including but not limited to United States currency, negotiable instruments and financial instruments including stocks and bonds, and deeds to real property, books, receipts, records, bank statements and records, business records, money drafts, money order and cashiers checks receipts, passbooks, bank checks, safes and records of safety deposit boxes and storage lockers.

3. Weapons, firearms, firearms accessories, and ammunition and documents relating to the purchase and/or possession of such items.

4. Documents and articles of personal property reflecting the identity of persons occupying, possessing, residing in, owning, frequenting or controlling the premises to be searched or property therein, including keys, rental agreements and records, property acquisition records, utility bills and receipts, photographs, answering machine tape recordings, telephone, vehicle and/or vessel records, canceled mail envelopes, correspondence, financial documents such as tax returns, bank records, safety deposit box records, canceled checks, and other records of income and expenditure, credit card records, travel documents, personal identification documents and documents relating to obtaining false identification including birth certificates, drivers license, immigration cards and other forms of identification which the same would use other names and identities other than his or her own.

6. Cellular/mobile phones (and their contents), and other communication devices which evidence participation in a conspiracy to possess, manufacture, or distribute controlled substances.

7. All incoming telephone calls received at the residence during the execution of the search warrant and all calls received on cellular telephones found during the execution of the warrant.

8. Devices used to conduct counter-surveillance against law enforcement, such as radio scanners, police radios, surveillance cameras and monitors and recording devices and cameras.

9. Photographs and video and audio recordings which document an association with other coconspirators and/or which display narcotics, firearms, or money and proceeds from narcotics transactions.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 245C-SD-68557

On (date) 5/3/07

item(s) listed below were:
- [ ] Received From
- [ ] Returned To
- [ ] Released To
- [x] Seized

(Name) Jose Herrera

(Street Address) 5886 Streamview Drive #4

(City) San Diego, CA

Description of Item(s): 1) Driver's license in the name of Ernesto Prado-Tirado - belonging to "Monkey" Manuel Rodrigue found in Jeans in Room A 2) small plastic bag with green leafy substance found in Jeans in Room A. Bag was in the Jeans with above license. Item 3: small plastic bag of green leafy substance found in Zuku Salazar Jeans near fireplace in Room A. Item 4: Six pieces of correspondence found in Room C (closet). Room B produced negative results. Room G: #5 Telephone book w/various numbers Item 5: includes misc. Id's for Lourdes Moreno & Uzeta, Jessica Avila and a phone bill 6865588877-0. ~~Item 6 Black Motorola telephone found in room G.~~ Negative Results in room D.

~~04~~ phone left with Jessica

Received By: Natalie [signature] (Signature)   **Received From:** Lourdes Moreno U. (Signature)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 245C-SD-68557

On (date) May 3, 2007

item(s) listed below were:
- ☐ Received From
- ☐ Returned To
- ☐ Released To
- ☑ Seized

(Name) Jose Herrera
(Street Address) 5886 Streamview Dr
(City) San Diego, CA

Description of Item(s): Found in Silver Ford Taurus CA 5VWF113, VIN# 1FAFP53U95A113356. Item 1 Smith & Wesson serial 82293 model 13-2. Item 2 Smith & Wesson 32 L 732 serial: ~~783~~ 46 not found. Item 3 Several Containers holding small plastic baggies with white substance. In addition, there are three tubes of black tape concealing an unknown substance. One small scale was also found in vehicle. The above items were labeled as Item (Bag) 3. Item 4 (Bag 4) has misc. documents.

Received By: Natalie Lambert (Signature) **Received From:** Lauretin Moreno (Signature)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 245C-SD-68557

On (date) 5/3/2007

item(s) listed below were:
- ☐ Received From
- ☐ Returned To
- ☐ Released To
- ☐ Seized

(Name) ~~5/3/2007~~

(Street Address) 5886 Streamview Dr. #4

(City) San Diego CA

Room E Bedroom

Description of Item(s): 7) AIPTEX video (gray/silver), Bag American shooting center, Pink note Pad, Ringed note pad, 7 money order receipts 5 money grams receipts, 3 money order Receipts, 9 Receipts, SDG&E Bill, several notes, Washington mutual statement, tenant ledger 8) 2 Brown photo albums, DMV vehicle reg {5PAY068}, picture, several notes, gold colorandke{?} 9) 4 Disposable cameras 10) Black/Gray Boost motorola phone, Verizon Kyocera silver/gray phone, Black/gray Boost motorola phone, 3 phone chargers 11) small claims Document, rent agreement court Documents, Washington mutual statement DMV Reg 5JDW314, several Receipts, +d scale DMV 3RTU768, US custom Doc, Pink note book Birth cert, several notes / Documents F) misc gun items, several Documents #12, C #13 Airbag #14 leafy substance in bag found outside

Received By: Natalie Lambrecht (Signature) **Received From:** Leander Moreno (Signature)